



KIRSTEN M. ERIKSSON
410.385.3583
keriksson@milesstockbridge.com

July 13, 2018

VIA CM/ECF

The Honorable Paula Xinis
United States District Judge
United States District Court
for the District of Maryland
Southern Division
6500 Cherrywood Lane, Suite 400
Greenbelt, Maryland 20770

Re: Cody Simpson, et al. v. Pure Technologies U.S. Inc.
Civil Action No. 1:17-cv-02532-PX

Dear Judge Xinis:

Pursuant to the Court's Order dated June 21, 2018, the parties have conferred and have reached an agreement on the contents of the notice to be sent to the proposed class. A copy of the proposed notice for the Court's approval is attached to this letter as Exhibit A. Some dates are highlighted because they will be modified to conform to the date the notice is actually sent. The parties have agreed that notice of the collective action will be sent to the potential opt-in plaintiffs by Plaintiff's counsel via U.S. Mail, electronic mail, or both. Pure Technologies is currently in the process of collecting and turning over to Plaintiffs' counsel the last known personal mailing and e-mail addresses for all potential opt-in plaintiffs, who are defined as all employees who worked in the positions of field technician, field operator, field engineer or project engineer at any time between the dates of July 15, 2015 and November 15, 2016. Pure Technologies will turn over all addresses that it has in its possession on or before Wednesday, July 18, 2018.

The substance of the communications with potential opt-in plaintiffs will be the same, regardless of what form of communication is used. The only difference will be the presentation of the content that the recipient receives and how the recipient will opt into the collective action if he or she chooses to do so.

U.S. Mail correspondence will be sent with a return address to The Law Offices of Peter T. Nicholl, 36 South Charles Street, Suite 1700, Baltimore, Maryland 21201. Plaintiffs' counsel will send a copy of the notice along with an opt-in form. Potential opt-in plaintiffs may elect to

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participate in the action by completing the opt-in form and mailing it back to the address provided in the notice.

Email communications will be sent from Plaintiffs' counsel's email address, bdavis@nichholllaw.com. The subject of the email will be "NOTICE OF LAWSUIT - Simpson, *et al.* v. Pure Technologies 1:17-cv-02532-PX", and the body of the email will contain the notice in the same form as the attached. Embedded in the notice will be a link to "DocuSign," which will enable the potential opt-in plaintiff, if he or she so chooses, to sign and submit his or her consent to opt-in form electronically. Opt-in forms must be received within sixty days of the date the notice is sent out in order for a plaintiff to timely opt in to the lawsuit.

Should the Court have any questions regarding the Notice or the proposed process, counsel for the parties will make them available for a teleconference at the earliest possible opportunity.

Respectfully submitted,

/s/ Benjamin L. Davis, III

Benjamin L. Davis, III (29774)
bdavis@nichholllaw.com
The Law Offices of Peter T. Nicholl
36 South Charles Street, Suite 1700
Baltimore, Maryland 21201
bdavis@nichholllaw.com
Phone No.: (410) 244-7005
Fax No.: (410) 244-8454

Counsel for Plaintiffs

/s/ Kirsten M. Eriksson

Kirsten M. Eriksson (26884)
Patrick G. Selwood (19999)
Miles & Stockbridge P.C.
100 Light Street
Baltimore, MD 21202
keriksson@milesstockbridge.com
pselwood@milesstockbridge.com
Phone No.: (410) 727-6464
Fax No.: (410) 385-3700

Counsel for Defendant

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MARYLAND

A COURT AUTHORIZED THIS NOTICE.
THIS IS NOT A SOLICITATION FROM A LAWYER.

The purpose of this Notice is to inform you of a collective action lawsuit against Pure Technologies, U.S., Incorporated. The United States District Court of Maryland has ordered that this Notice be sent to you in order to explain what this lawsuit is about and how you can join the lawsuit, if you choose to do so. Although the Court has authorized this Notice, it has not decided who is right or wrong.

- A. Three (3) former employees (the “Claimants”) of Pure Technologies, U.S., Inc. (“Pure Technologies”) brought a lawsuit (*Simpson, et al. v. Pure Technologies U.S. Inc.*, Civil Action Number 1:17-cv-02532-PX) alleging that they and other field technicians, field operators, field engineers and project engineers were not paid overtime wages when they worked more than forty (40) hours in a workweek, in violation of the Fair Labor Standards Act (the “FLSA”), the Maryland Wage and Hour Law (“MWHL”), and the Maryland Wage Payment and Collection Law (“MWPCCL”).
- B. The Claimants are seeking overtime wages for all of the weeks when they worked in excess of forty (40) hours and other remedies allowed by applicable law. The Defendant, Pure Technologies, has at all times denied all of the allegations in this lawsuit and contends that it has properly compensated its employees for all compensable time. In addition to their alleged failure to receive overtime wages, the Claimants seek for themselves and other similarly situated employees double the amount of wages owed, if any, to the extent allowed by law. The U.S. District Court for the District of Maryland (the “Court”) has entered an order allowing this case to proceed as a "collective" action, which is a form of a class action. If you worked for Pure Technologies as a field technician, field operator, field engineer or project engineer at any time between **July 15, 2015** and November 15, 2016, you may be eligible to participate in this lawsuit.
- C. The FLSA prohibits Pure Technologies from discharging you or taking any other adverse employment action against you because you have exercised your legal right to join this lawsuit, or because you have otherwise exercised your rights under the FLSA.
- D. Your right to be free of retaliation does not require you to currently be employed by Pure Technologies.
- E. If you exercise your right to join this lawsuit, you will be bound by any judgment or settlement.
- F. You are not required to respond to this notice, nor are you required to join this lawsuit.

G. The Court has not decided whether Pure Technologies has done anything wrong. There is no money available now and no guarantee that there will be. However, your legal rights are affected and you have a choice to make:

YOUR LEGAL RIGHTS AND OPTIONS

DO NOTHING	ASK TO BE INCLUDED
<p>Get No Benefits From Lawsuit But Retain Legal Rights.</p> <p>Under this option, if you do nothing you lose nothing (except a potential claim due to the passage of time). By doing nothing, you retain your legal rights to bring a separate suit against Pure Technologies. If money or benefits are later awarded in this case, you will not share in them.</p>	<p>Join Lawsuit. Await The Outcome. Give Up The Right To Sue Separately.</p> <p>Complete and return an Opt-In Consent Form by [60 day return date]. By “opting in,” you gain the possibility of getting money or benefits that may result from a trial or settlement, but you give up your right to separately sue Pure Technologies for the same legal claims brought in this lawsuit. Moreover, the statute of limitations will continue to run until you file your opt-in form.</p> <p>While the lawsuit is pending, you may be required to participate in this litigation by participating in discovery, assisting Claimants’ counsel and testifying at a deposition or trial.</p>

- If you choose to join this lawsuit, your continued right to participate in this lawsuit may depend upon a later decision by the Court that you and the Claimants are "similarly situated" in accordance with applicable laws and that it is appropriate for this case to proceed as a collective action.
- The Law offices of Peter T. Nicholl and attorney Benjamin L. Davis, III represent the Claimants. See <http://www.nicholllaw.com>. Counsel for Claimants can be contacted at 410-244-7005.
- Kirsten Eriksson and Patrick Selwood, attorneys with Miles and Stockbridge P.C., represent Pure Technologies. See <http://www.milesstockbridge.com/>. Counsel for Pure Technologies can be contacted at 410-385-3583.
- To ask to be included in this lawsuit, you must return the attached opt-in consent form to: The Law Offices of Peter T. Nicholl, 36 South Charles Street, Suite 1700, Baltimore, Maryland 21201, via U.S. Mail, email to bdavis@nicholllaw.com, electronic DocuSign, or fax to (410) 244-8454, attention: Benjamin L. Davis, III. The notice was sent to you on **July 15, 2018**. In order to be included in the lawsuit, your returned opt-in consent form must be received on or before **September 13, 2018**.
- A link to an electronic DocuSign version of the opt in form can be found here: [[SHARE LINK](#)]
- If you choose to join this lawsuit, you may be represented by Plaintiffs’ counsel. A letter of representation exists and you may ask for a copy in advance.

- If there is no recovery, you will not be required to pay Plaintiffs' counsel for any of their work or reimburse them for any of their expenses. If there is a recovery, Plaintiffs' counsel will receive whatever attorneys' fees and costs that the Court orders or the parties agree to in settlement.
- This notice and its contents have been authorized by the U.S. District Court for the District of Maryland.
- **Any questions? Please contact class-counsel Benjamin L. Davis, III at (410) 244-7005.**